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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,390	01/22/2001	Kazuo Sako	043034/0164	1020
22428	7590	04/27/2005	EXAMINER	
FOLEY AND LARDNER SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			DADA, BEEMNET W	
			ART UNIT	PAPER NUMBER
			2135	

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/765,390

Applicant(s)

SAKO, KAZUE

Examiner

Beemnet W. Dada

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in reply to an amendment filed on January 06, 2005. Claims 1-22 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6, 9, 12, 15, and 18-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Ateniese et al (hereinafter Ateniese), "Some Open Issues and New Directions in Group Signatures".

4. The rejection is being applied for the same reason as set forth in the previous Office action, pages 2-6, mailed 07/06/2004.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-6, 9, 12, 15 and 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ramzan et al (hereinafter Ramzan), "Group Blind Digital Signatures: A Scalable Solution to Electronic Cash", in view of Ateniese et al (hereinafter Ateniese), "Some Open Issues and New Directions in Group Signatures".

7. The rejection is being applied for the same reason as set forth in the previous Office action, pages 6-13, mailed 07/06/2004.

8. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ateniese et al (hereinafter Ateniese), "Some Open Issues and New Directions in Group Signatures" in view of Camenisch et al (hereinafter Camenisch), "Efficient Group Signatures Schemes for Large Groups, and further in view of Grabbe, "Introduction to Digital Cash".

9. The rejection is being applied for the same reason as set forth in the previous Office action, pages 13-16, mailed 07/06/2004.

10. Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ateniese et al (hereinafter Ateniese), "Some Open Issues and New Directions in Group Signatures" in view of Camenisch et al (hereinafter Camenisch), "Efficient Group Signatures Schemes for Large Groups

11. The rejection is being applied for the same reason as set forth in the previous Office action, pages 16-18, mailed 07/06/2004.

12. Claims 13-14 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ateniese et al (hereinafter Ateniese), "Some Open Issues and New Directions in Group Signatures" in view of Camenisch et al (hereinafter Camenisch), "Efficient Group Signatures Schemes for Large Groups, and further in view of Kilian, "Identity Escrow".

13. The rejection is being applied for the same reason as set forth in the previous Office action, pages 18-24, mailed 07/06/2004.

Response to Arguments

14. Applicant's arguments filed January 06, 2005 have been fully considered but they are not persuasive.

15. With respect to the rejections of claims 1 and 18 under 35 USC 102(b) in view of Ateniese, Applicant argues that Ateniese teaches a signature scheme where all of the members of the subgroup sign on the same message m. In contrast, in accordance with applicant's invention, each member is able to sign its own message m. Thus, Ateniese fails to teach an anonymous signing section for authorizing individual data using the secret information. Examiner disagrees.

In response to applicant's argument that Ateniese fails to teach an anonymous signing section for authorizing individual data using the secret information, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention

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and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In a claim drawn to a process of making, the intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 370 F.2d 576, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 312 F.2d 937, 939, 136 USPQ 458, 459 (CCPA 1963). In this case Ateniese teaches a secret information (i.e., one-time base g), used for anonymous signing, to produce anonymous participation group signature [see page, 207, section 10], that meets the recitation of the claim language.

16. With respect to rejections of claims 1 and 18 under 35 USC 103(a) over Ramazan in view of Ateniese, Applicant argues that Ramazan does not teach the method of participant subsystem comprising an anonymous signing section using a participant's secret key. Examiner respectfully disagrees.

Examiner would point out that Ramazan discloses an anonymous signing section for authorizing individual data using the secret information (see for example, page 57, Voting section and page 80-81 section A.3.3) to produce anonymous participation data with anonymous signature (see for example, page 57 section Voting and page 80-81 section A.3.3). Therefore the examiner asserts that the combination of Ramazan and Ateniese teaches the claimed limitations as recited in the claims. Accordingly rejections are respectfully maintained.

Conclusion

17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

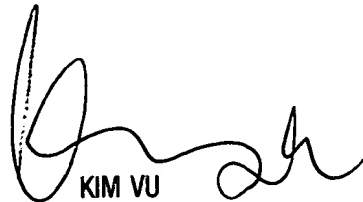
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Beemnet Dada

April 19, 2005


KIM VU
SUPERVISORY PATENT EXAMINER
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